

PATENT  
Attorney Docket No. 8109.003.USDV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BOARD OF PATENT APPEALS AND INTERFERENCES**

**In re Application of:**

**James D. THACKER**

Group Art Unit: 1645

**Application Number:** 10/020,923

**Examiner:** Jana A. HINES

**Filed: December 19, 2001**

For: **METHODS FOR THE RAPID DETECTION OF ACTIVELY RESPIRING MICROORGANISM**

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Sir,

## NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Appeals and Interferences from the final rejection of claims 11 and 29-32 as set forth in the final Office Action mailed March 15, 2006. Pursuant to 37 C.F.R. 41.20(b)(1), please charge the attached credit card in the amount of \$250.00 to cover the Notice of Appeal fee. A Credit Card Payment Form (Form PTO-2038) is attached.

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Respectfully submitted,

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**Date:** August 9, 2006

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